

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Hearing Date: February 22, 2024 at 1:00 P.M. ET

Objection Deadline: February 9, 2024 at 4:00 P.M. ET

Ref. Nos. 6283 & 6288

**CERTIFICATION OF COUNSEL REGARDING
DEBTORS' TWELFTH (SUBSTANTIVE) OMNIBUS OBJECTION
TO CERTAIN OVERSTATED PROOFS OF CLAIM (CUSTOMER CLAIMS)**

I, Matthew R. Pierce, counsel to FTX Trading Ltd. and its affiliated debtors and debtors-in-possession (the “Debtors”) hereby certify as follows to the best of my knowledge, information and belief:

1. On January 23, 2024, the Debtors filed the *Debtors’ Twelfth (Substantive) Omnibus Objection to Certain Overstated Proofs of Claim (Customer Claims)* [D.I. 6283, redacted & 6288, sealed] (the “Objection”).

2. Pursuant to the *Notice of Objection* attached to the Objection [D.I. 6283-1 & 6288-1], any responses to the Objection were to be filed no later than February 9, 2024, at 4:00 p.m. (ET) (the “Response Deadline”).

3. On February 2, 2024, Momentum Trading GmbH (“Momentum Trading”) filed a response to the Objection [D.I. 6920] (the “Momentum Trading Response”).

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

4. On February 6, 2024, Lesley Zut filed a response to the Objection [D.I. 7045] (the “Zut Response”).

5. On February 6, 2024, Shuai Wang filed a response to the Objection [D.I. 7062] (the “Wang Response”).

6. On February 6, 2024, Simon Katz filed a response to the Objection [D.I. 7066] (the “Katz Response”).

7. On February 6, 2024, Teresa Otsuki filed a response to the Objection [D.I. 7072] (the “Otsuki Response”).

8. On February 8, 2024, MAX NICE INDUSTRIES LIMITED filed a response to the Objection [D.I. 7146] (the “MAX NICE Response”).

9. On February 9 and 15, 2024, Liam Ellmann filed responses to the Objection [D.I. 7196, 7461] (collectively, the “Ellmann Response”).

10. On February 9, 2024, Christopher D. Fay filed a response to the Objection [D.I. 7197] (the “Fay Response”).

11. On February 9, 2024, Outremont Smartbeta Master Fund LP (“Outremont”) filed a response to the Objection [D.I. 7198] (the “Outremont Response”).

12. On February 9, 2024, Auros Tech Limited (“Auros”) filed a response to the Objection [D.I. 7216] (the “Auros Response”).

13. On February 15, 2024, Colin Griffiths filed a response to the Objection [D.I. 7472] (the “Griffiths Response,” and, collectively with the Momentum Trading Response, Zut Response, Wang Response, Katz Response, Otsuki Response, MAX NICE Response, Ellmann Response, Fay Response, Outremont Response, and Auros Response, the “Formal Responses”).

14. Additionally, the Debtors received informal responses (the “Informal Responses”) to the objection from the holders of claim number 39925 and claim number 86378.

15. As of the Date hereof, no other formal objections or other responses to the Objection have been filed or served on the Debtors, besides the Formal Responses and Informal Responses.

16. The Debtors have resolved the MAX NICE Response with no changes to the proposed form of order attached to the Objection (the “Proposed Order”).

17. The parties have agreed to adjourn the Objection with regard to proof of claim number 39925, as well as to the claims of Liam Ellmann and Outremont.

18. Based on the Debtors’ review of the Informal Responses and the Formal Responses and discussions with certain of the claimants, the Debtors are withdrawing the Objection solely with regard to the claim of Momentum Trading, Lesley Zut, Shuai Wang, Simon Katz, Teresa Otsuki, Christopher D. Fay, Auros, Colin Griffiths, and the holder of claim number 86378, without prejudice and with all rights of the parties reserved with regard thereto.

19. The Debtors have revised the Proposed Order (the “Revised Order”), a copy of which is attached hereto as **Exhibit A**, to reflect the adjournments and withdrawals. A copy of the Revised Order compared against the Proposed Order is attached hereto as **Exhibit B**. The Revised Order has been circulated to the Office of the United States Trustee (the “U.S. Trustee”) and the Official Committee of Unsecured Creditors (the “Committee”), who have confirmed that they have no objection to the entry of the Revised Order. In accordance with the Court’s electronic order processing procedures, a clean copy of the Revised Order shall be uploaded to CM/ECF.

20. Accordingly, the Debtors respectfully request that the Court enter the Revised Order at its earliest convenience.

Dated: February 22, 2024
Wilmington, Delaware

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/s/ Matthew R. Pierce

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